

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

v.

JAMSHID NORRYIAN (01)
a.k.a. JAMES NORRYIAN
DEHSHID NOURIAN (02)
a.k.a. DAVID NOURIAN
CHRISTOPHER RYDBERG (03)
MICHAEL TABA (07)

CRIMINAL NO. 3:17-cr-155-L

**THE UNITED STATES OF AMERICA’S OPPOSED MOTION FOR LEAVE TO
FILE SUPPLEMENTAL BRIEFING ON MOTION *IN LIMINE* NO. 4 TO
PRECLUDE EVIDENCE OR ARGUMENT REGARDING THE
GOVERNMENT’S DECISION NOT TO CHARGE AN INDIVIDUAL**

The United States of America (the “Government”) files this motion for leave to file supplemental briefing on its motion *in limine* no. 4 to preclude evidence or argument regarding the Government’s decision not to charge an individual. The Government seeks leave to file this supplemental briefing for the following reasons:

After the Government submitted its omnibus motions *in limine* on September 27, 2022, the Court dismissed two individuals in this matter, Ashraf Mofid and Leyla Nourian. (Dkt. 432, 433.) At the pretrial conference as to the remaining four defendants on October 13, 2022, defense counsel for Defendant Taba raised, for the first time, his intention to introduce evidence and/or argument at trial regarding the dismissal of Ashraf Mofid and Leyla Nourian. Accordingly, the Government did not have reason to request this relief until defense counsel raised this issue at the pretrial conference. For reasons discussed in

the attached supplemental brief, the United States respectfully requests that the Court preclude any potential testimony or argument regarding the dismissal of Ashraf Mofid and Leyla Nourian as inappropriate, irrelevant, and highly prejudicial under Federal Rule of Evidence 403.

Respectfully submitted,

CHAD E. MEACHAM
UNITED STATES ATTORNEY

GLENN S. LEON
CHIEF, FRAUD SECTION

/s/ Kelly M. Lyons
KELLY M. LYONS
Trial Attorney
Fraud Section, Criminal Division
U.S. Department of Justice
New York Bar No. 5429113
(202) 923-6451
kelly.m.lyons@usdoj.gov

ETHAN WOMBLE
Trial Attorney
Fraud Section, Criminal Division
U.S. Department of Justice
Texas Bar No. 24102757
(202) 674-5653
ethan.womble@usdoj.gov

CARLOS A. LÓPEZ
Trial Attorney
Fraud Section, Criminal Division
U.S. Department of Justice
New York Bar No. 4256244
(202) 875-9038
carlos.lopez@usdoj.gov

CERTIFICATE OF CONFERENCE

I certify that on October 17, 2022, I conferred with defense counsel for the defendants regarding this motion and the supplemental briefing on the Government's motion *in limine* no. 4 to preclude evidence or argument regarding the Government's decision not to charge an individual. Per the parties' meet and confer, Defendants Jamshid Noryian and Dehshid Noryian are unopposed and Defendants Christopher Rydberg and Michael Taba are opposed to this motion and the supplemental briefing at this time.

/s/ Kelly M. Lyons

KELLY M. LYONS

Trial Attorney